

**Remarks**

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. By the present amendment, claims 1-9 have been cancelled. New claims 10-19 have been added.

**Claim Rejections under 35 U.S.C. §112**

Claims 1-9 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the Examiner asserts that the claims are generally narrative and indefinite, thereby failing to conform to current U.S. practice. Claims 1-9 have been cancelled and thus the rejection is moot.

New claims 10-18 substantially incorporate the subject matter of claims 1-9. It is believed that new claims 10-18 particularly point out and distinctly claim the invention. Accordingly, it is respectfully submitted that claims 10-18 are definite.

**Claim Rejections under 35 U.S.C. §102**

Claims 1-9 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,899,305 to Korczak et al. (hereafter "Korczak"). Claims 1-9 were cancelled and thus the rejection is moot. Claims 10-18 substantially incorporate the subject matter of claims 1-9. It is respectfully claim 10 patentably defines over Korczak and is therefore allowable.

Claim 10 recites that spring elements are connected with the receiving part for fixing articles in the receiving space. One of the spring elements comprises a locking tongue. The locking tongue comprises an articulating element that protrudes into the receiving space when the locking flange is in the rest position. The introduction of the first article into the receiving portion displaces the free end of the

locking tongue into the deflected position when the articulating element contacts the first article. Further introduction of the first article causes the articulating element to be arranged between two areas of the receiving space that each receive one of the articles.

Korczak teaches line hangers 10 which are stackable for securing transmission lines 15 to a supporting structure. One or more of the hangers 10 can be used to support one or more transmission lines (Col. 4, lines 16-18 and 33-35; Fig. 1). Legs 14, 16 of the hanger 10 are pressed together to allow locking barbs 22 to be inserted through a mounting hole 108 in the mounting section 100 of another hanger 10 (Fig. 5). First and second legs 17, 19 (Fig. 12) of the hanger 10 rest against the top of the attachment surface and provide support (Col. 7, lines 53-60). Spring fingers 29 and transmission line stops 30 in the retention section 102 of the hanger 10 cooperate to retain the transmission line 15 within the hanger 10 (Col. 5, lines 8-15 and Fig. 2).

Accordingly, Korczak does not teach or suggest securing more than a single transmission line 15 within each hanger 10, as there is only one set of cooperating fingers 29 and line stops 30 per hanger 10. Therefore, it is clear that Korczak does not teach an articulating element that is arranged between two areas of a receiving space, each of which receiving an article, as recited in claim 10.

The Examiner asserts that leg 17 is an articulated element that protrudes into the receiving space (Office Action page 4). The leg 17, however, is incapable of deflecting or otherwise entering the space within the hanger 10 that receives the transmission line 15. Rather, the legs 17 extend outwardly from the hanger 10 to

provide support between then hanger 10 and the underlying structure. Thus, Korczak does not teach an articulated element that protrudes into the receiving space as recited in claim 10.

Korczak also does not teach that an articulating element is part of a locking tongue. The Examiner asserts that spring fingers 29 and line stops 30 comprise a locking tongue (Office Action page 3). The asserted articulated element 17, however, is not part of the spring fingers 29 or the line stops 30 – as the asserted articulated element 17 does not cooperate with the spring fingers 29 or line stops 30 to retain the transmission line 15. Accordingly, Korczak does not teach that an articulating element is part of a locking tongue as recited in claim 10.

Korczak does not teach that a receiving section engages the first article such that the locking tongue returns to, and becomes locked in, a rest position. Rather, the flexibility of the spring fingers 29 of Korczak allows the spring fingers 29 to flex inward with respect to the extended section 104 after a transmission line 15 has been inserted into the retention section 102. This flexure allows the fingers 29 to accommodate lines of varying diameter (Col. 6, lines 3-11). Furthermore, once the transmission line 15 is retained between the fingers 29 and the line stops 30, there is no structure to prevent the fingers 29 from being flexed outward relative to the retention section. Accordingly, Korczak does not teach that a locking tongue becomes locked in a rest position once a receiving section engages an article as recited in claim 10.

For the reasons stated above, Korczak does not teach or suggest the subject matter of claim 10. Therefore, it is respectfully submitted that claim 10 patentably defines over Korczak and is therefore allowable.

Claims 11, 13-15 and 17-18 depend from claim 10 and are allowable for at least the same reasons as claim 10 and for the specific limitations recited therein.

Claim 12 recites that the articulated element exhibits a front section and a back section that come together in a break region that projects into the receiving section. As noted, the asserted articulated element 17 of Korczak does not project into the receiving space of the hanger 10. Thus, Korczak does not teach a break region of an articulated element that projects into a receiving section as recited in claim 12. Therefore, it is respectfully submitted that claim 12 patentably defines over Korczak and is allowable.

Claim 16 recites that the articulated element exhibits a front section and a back section that come together in a break region that projects into the receiving section. As noted, the asserted articulated element 17 of Korczak does not project into the receiving space of the hanger 10. Thus, Korczak does not teach a break region of an articulated element that projects into a receiving section as recited in claim 16. Therefore, it is respectfully submitted that claim 16 patentably defines over Korczak and is allowable.

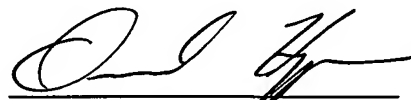
Claim 19 recites that the articulating element, when locked in the rest position, prevents the second article from contacting the first article. As noted, Korczak does not teach that the hanger 10 receives more than a single transmission line, as there is only one set of cooperating fingers 29 and line stops 30 per hanger 10.

Regardless, the asserted articulated element 17 is incapable of blocking or preventing one transmission line 15 from engaging another due to its location on the outside of the hanger 10. Rather, once the hangers 10 are stacked, it is the top surface of the extended section 104 which prevents a transmission line 15 in one hanger 10 from contacting a transmission line 15 in another hanger 10. Thus, Korczak does not teach that an articulating element, when locked in the rest position, prevents a second article from contacting the first article as recited in claim 19. Therefore, it is respectfully submitted that claim 19 patentably defines over Korczak and is allowable.

In view of the foregoing, it is submitted that the application is in condition for allowance and allowance is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. L. Hopper', is written over a horizontal line.

Daniel L. Hopper  
Reg. No. 59,473

TAROLLI, SUNDHEIM, COVELL  
& TUMMINO L.L.P.  
1300 East Ninth Street, Suite 1700  
Cleveland, Ohio 44114-1400  
Phone: (216) 621-2234  
Fax: (216) 621-4072  
**Customer No.: 26,294**